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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Sacramento)

THE PEOPLE,

Plaintiff and Respondent,

v.

CHARLES DAVID MATLOCK,

Defendant and Appellant.

C077877

(Super. Ct. No. 14F04836)

Appointed counsel for defendant Charles David Matlock asked this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436 (*Wende*)). Finding no arguable error that would result in a disposition more favorable to defendant, we will affirm the judgment.

I

A complaint charged defendant with corporal injury on a cohabitant resulting in a traumatic condition (Pen. Code, § 273.5, subd. (a) -- count 1)¹ and alleged that defendant personally inflicted great bodily injury (§ 12022.7, subd. (e)). Defendant pleaded no contest to count 1 in return for the prosecutor's agreement to dismiss the great bodily injury allegation and a guaranteed grant of five years' formal probation, with 180 days in county jail offset by 110 days of presentence custody credit.

The parties stipulated to the following factual basis for the plea: "On or about July 13th, 2014, in the County of Sacramento, the defendant willfully and unlawfully inflicted corporal injury, resulting in a traumatic condition, upon Jodi Doe, a person with whom the defendant was then and there cohabitating; specifically, [defendant] kicked Ms. Doe, causing injury that resulted in a traumatic condition. [¶] Ms. Doe and [defendant] had been in a dating relationship for approximately two years and were living together at the time of the incident."

The trial court granted the prosecutor's motion to dismiss the great bodily injury allegation and placed defendant on formal probation for five years, with 180 days in county jail, offset by 110 days of presentence custody credit. The trial court imposed a \$300 restitution fine (§ 1202.4, subd. (b)), a \$300 probation revocation fine (§ 1202.44), a \$30 conviction assessment (Gov. Code, § 70373), a \$40 court security fee (§ 1465.8), and a \$500 fee payable to the Domestic Violence Program Fund (§ 1203.097, subd. (a)(5)).

II

Appointed counsel filed an opening brief setting forth the facts of the case and asking this court to review the record and determine whether there are any arguable issues on appeal. (*Wende, supra*, 25 Cal.3d 436.) Defendant was advised by counsel of

¹ Undesignated statutory references are to the Penal Code.

the right to file a supplemental brief within 30 days of the date of filing the opening brief. More than 30 days elapsed and we received no communication from defendant.

Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.

MAURO, J.

We concur:

RAYE, P. J.

DUARTE, J.